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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Katsuaki ABE et al. Group Art Unit : 2131  
Appl. No. : 10/502,048 Examiner : Not Yet Assigned  
Filed : July 30, 2004 Confirmation No. : 2146  
For : COMMUNICATION APPARATUS AND COMMUNICATION SYSTEM

## **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AMENDMENT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98 and supplemental to the Information Disclosure Statement that was filed on December 2, 2004, Applicants hereby submit a copy of a European Search Report that was mailed on March 4, 2005, with respect to patent family member European Patent Application No. EP 03 70 7115.6, in which the following documents were cited:

J. HERSEY et al., IEEE Transactions on Communications, Vol. 43, No. 1, January 1995, pp. 3-6;

A.O. HERO, Dept. of Electrical Engineering and Computer Science,  
University of Michigan, April 24, 2001, pp. 1-37, downloaded from  
<http://citeseer.ist.psu.edu/cs> on February 17, 2005; and

H. KOORAPATY, IEEE Communications Letters, Vol. 4, No. 2, February 2000, pp. 52-55.

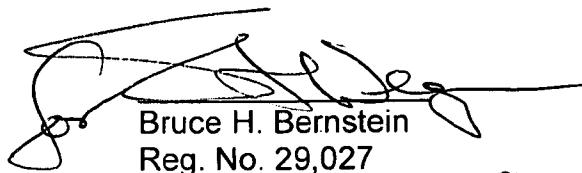
The category of relevance, pertinent portions, and claims to which each document is relevant, as ascertained by the European Examiner are set forth in the European Search Report.

Applicants respectfully request that the Examiner consider the above material and cite the same. Copies of the above-noted documents are attached hereto and all of the documents are listed on the attached PTO-1449 Form. A copy of the European Search Report is also attached hereto. The Examiner is requested to initial the appropriate spaces on the attached Form and to return a copy of the completed Form to Applicants with the next official communication in the present application.

Applicants note that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material. However, if an Office Action on the merits has issued and is crossing this statement in the mail, then Applicants certify that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement, and thus no fee is required to ensure consideration of the submitted material.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Katsuaki ABE et al.



Bruce H. Bernstein  
Reg. No. 29,027

Steven Wegman  
Reg. No. 31,438

April 25, 2005  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

